

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DANIEL JOYCE,
Individually and on behalf of a class of others
similarly situated,

Plaintiff,

v.

JOHN HANCOCK FINANCIAL SERVICES,
INC. SEVERANCE PAY PLAN and JOHN
HANCOCK FINANCIAL SERVICES, INC., as
Administrator and Fiduciary of the John Hancock
Financial Services, Inc. Severance Pay Plan,

Defendants.

Civil Action No. 05-11428-WGY

**DEFENDANTS' ASSENTED-TO MOTION TO EXTEND TIME TO FILE OPPOSITION
TO PLAINTIFF'S CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT**

Defendants John Hancock Financial Services, Inc. Severance Pay Plan and John Hancock Financial Services, Inc. (collectively, "Defendants") hereby move the Court to extend the time for Defendants to file their opposition to Plaintiff's Cross-Motion for Partial Summary Judgment by four days until Monday, August 14, 2006.¹ Plaintiff has assented to this Motion.

As grounds for their Motion, Defendants state that additional time is necessary to respond to Plaintiff's Local Rule 56.1 Statement in Support of his Cross-Motion for Partial Summary Judgment, which contains 160 paragraphs; to prepare thorough briefing in opposition to Plaintiff's memorandum in support of his Cross-Motion for Partial Summary Judgment; and to

¹ Pursuant to Local Rule 7.1(B)(2), Defendants' opposition to Plaintiff's Cross-Motion for Partial Summary Judgment is due on Tuesday, August 8, 2006. Allowing four additional days would make Defendants' opposition due on Saturday, August 12, 2006. Since the Court is closed that day, the next available date for filing is Monday, August 14, 2006.

finalize all documents to be submitted in opposition to Plaintiff's Cross-Motion for Partial Summary Judgment. Defendants further state that Plaintiff was granted by the Court four additional days beyond the fourteen days prescribed in Local Rule 7.1(B)(2) to oppose Defendants' Motion for Summary Judgment. Accordingly, Defendants respectfully request the same opportunity and leave of the Court to enable them adequately to oppose Plaintiff's Cross-Motion.

For the foregoing reasons, Defendants respectfully request that the Court grant this motion to extend the time to file an opposition to Plaintiff's Cross-Motion for Summary Judgment until Monday, August 14, 2006.

CERTIFICATE OF LOCAL RULE 7.1(A)(2)

The undersigned certifies that pursuant to Local Rule 7.1(A)(2) counsel for Defendants conferred with counsel for Plaintiffs, who assented to this Motion.

Respectfully submitted,

JOHN HANCOCK FINANCIAL
SERVICES, INC. SEVERANCE PAY
PLAN and JOHN HANCOCK FINANCIAL
SERVICES, INC.,

By their attorneys,

/s/ Erin N. Jackson

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Boston, MA 02109-2881
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Dated: August 1, 2006

CERTIFICATE OF SERVICE

I, Erin N. Jackson, hereby certify that on August 1, 2006 DEFENDANTS' ASSENTED-TO MOTION TO EXTEND TIME TO FILE OPPOSITION TO PLAINTIFF'S CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT was filed through the ECF system and will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on this date.

Date: August 1, 2006

/s/ Erin N. Jackson

Erin N. Jackson
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